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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,221	01/09/2004	Michael Tjader	1523.053US1	8033
21186	7590	07/31/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.				DANG, HOANG C
P.O. BOX 2938				
MINNEAPOLIS, MN 55402				
ART UNIT		PAPER NUMBER		
		3672		

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/754,221	TJADER, MICHAEL	
	Examiner	Art Unit	
	Hoang Dang	3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 May 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 3-21 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 5-8, and 12-19 is/are allowed.
- 6) Claim(s) 1,3,4,9-11,20 and 21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 3, 4 and 20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dinsdale (US 4,732,061) (see “gripping jaws” (136,137), “single actuating device” (143), “force amplifying linkage” (144,145,150,152), “connecting portion” (146,147) and figures 12, 13, 17, 18 and column 10, line 10 through column 11, line 6).

As for claim 3, the recited “jaw carriers” and “gripping jaws” do not distinguish from members (136,137) and (138) respectively, of Dinsdale.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 9-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam (US 4,703,811) or Bischel et al (US 2002/0157870) or Willis (US 4,403,666) in view of Dinsdale (US 4,732,061) or vice versa.

Lam or Bischel et al or Willis discloses a drilling device or drilling method as claimed except for the detailed structure of the drill gripping devices. However, Dinsdale teaches using a drill gripping device comprising a pair of gripping jaws, a single actuating device, a force amplifying linkage and a connecting portion as claimed because of its unusual compactness and simplicity (column 2, lines 32-34). It would have been obvious to one of ordinary skill in the art

at the time the invention was made to provide Lam or Bischel et al or Willis with drill gripping devices as claimed in view of the teaching of Dinsdale for the advantages pointed out above.

Alternatively, it would have been obvious to use a top drive rather than a rotary table on the rig floor to rotate a drill string of Dinsdale in view of the teaching of Lam or Bischel et al or Willis because of many known advantages of a top drive over a conventional rotary table rig such as:

(1) it enables the driller to connect a triple stand of three joints or sections of drill pipe onto the top of the drill string. He then will drill the triple stand down to a point next to the rig floor, then add another triple stand. With conventional rotary table rigs, normally only a single joint can be drilled down at one time because of the length of the kelly.

(2) it enables the driller to rotate the drill string and circulate the drilling fluid when raising or lowering (i.e., tripping) of the drill pipe in or out of the borehole. This ability to rotate and circulate at any time while tripping provides significant time savings and safety features, especially where the potential for preventing sticking of drill pipe in tight sections or high angle boreholes is greatly increased.

Response to Arguments

5. Applicant's arguments filed 5/15/2006 have been fully considered but they are not persuasive. Contrary to applicant's argument, the "first camming linkage", "first rocker", "first gripping jaw", "second camming linkage", "second rocker", "second gripping jaw" and "connecting portion" do not distinguish from members (150), (144), (136), (152), (145), (137) and (146,148) respectively of Dinsdale.

Allowable Subject Matter

6. Claims 5-8 and 12-19 are allowed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

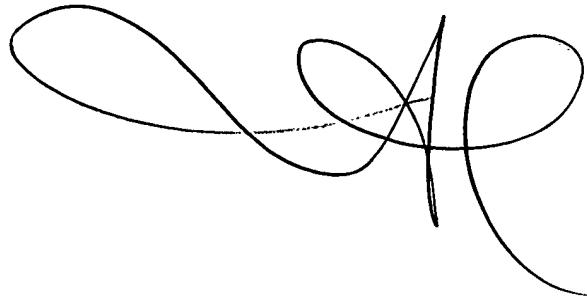
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Dang whose telephone number is 571-272-7028. The examiner can normally be reached on 9:15-5:45 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hoang Dang
Primary Examiner
Art Unit 3672

A handwritten signature in black ink, appearing to read "Hoang Dang", is positioned below the printed name and title.